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Kennedy Should Not Resign

After some hesitation, the Department of Justice has apparently decided to have U.S. Attorney William H. Kennedy walk the plank. Washington's official call for his resignation, which came in the night Wednesday, was as dark a thing as the hour of its arrival.

The facts in this outrageous episode are well-known: An elaborate multi-million-dollar stolen car ring, which this newspaper was uncovering and writing about as far back as 1979, led through Mexican and American hoodlums, to Mexican police officials and politicians all the way to Mexico City. The ring was linked to Miguel Nassar Haro, the chief of Mexico Directorate of Federal Security, the loose equivalent of our FBI and CIA combined.

These thieves didn't go for compacts or cheaper models, only the most expensive American and foreign makes — \$8.4 million worth. A vigorous investigation and prosecution by former U.S. Attorney James Lorenz and federal agents last year led to the surprise arrest of 14 gang members in July.

Then, when Mr. Kennedy succeeded Mr. Lorenz in November, he pushed on with the car-rings case, but found himself blocked by higher authority in Washington. The current *cause celebre* began last week. Mr. Kennedy refused to lie or play the usual cover game when questioned by this newspaper about facts already known from other sources. He confirmed that the Central Intelligence Agency was preventing prosecution because Nassar was a valuable CIA agent. Never mind that there is no end of evidence implicating Nassar as a criminal enriching himself from receipt of stolen goods; he could get off scot free simply because he had served the CIA.

Now, we don't expect the CIA to employ choir boys in its sometimes-messy operations abroad. But it's hard to defend CIA policy of shielding its informers once they are exposed as criminals. And it's even more indefensible for the Department of Justice to be a co-conspirator in such shenanigans.

We are seeing justice stood on its head. Mr. Kennedy did not lie,

nor did he leak confidential information. For such integrity, he is being pressured to resign and to derail a promising career by his superiors in the Department of Justice while Nassar, a venal criminal, goes unpunished.

There may, in fact, be additional and unconscionable considerations by the Justice Department to justify the unjustifiable, namely to make Mr. Kennedy such a scapegoat that law-enforcement officials everywhere will be intimidated into silence or dishonesty. This is the sort of thing we would have expected from the Carter administration, not from President Reagan's Attorney General, William French Smith.

Based on our special knowledge of these circumstances, we are convinced Mr. Kennedy should not resign merely to accommodate the questionable purposes of his Justice Department superiors. Actually, as a presidential appointee, he can be removed only by the President. Accordingly, we believe Mr. Kennedy should now lay his meritorious case before the White House.